

11-5-10
 CHAS. H. G. DODGE & CO., INC.
 VICTOR DIVISION OF
 By [Signature] DODGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**KLA-TENCOR CORPORATION, Individually
and d/b/a KLA-Tencor, Inc.,
Plaintiff,**

-vs-

Case No. A-08-CA-723-SS

**XITRONIX CORPORATION,
Defendant.**

VERDICT FORM

We the jury unanimously agree to the answers to the following questions:

QUESTION ONE

(a). Do you find by a preponderance of the evidence that Xitronix has infringed any of the asserted claims of the '441 Patent?

Answer "yes" or "no." _____

Yes

If you answered "no" to part (a) of this question, skip part (b) and proceed to Question Two. If you answered "yes" to part (a) of this question, proceed to part (b).

(b). If you answered "yes" to part (a), indicate which claims were infringed.

Answer "yes" or "no" for each asserted claim of the '441 Patent.

	YES (finding for KLA-Tencor)	NO (finding for Xitronix)
Claim 7	✓	
Claim 9		✓
Only answer for Claims 11 and 12 if you answer "yes" to Claim 9.		
Claim 11		
Claim 12		

QUESTION TWO

Do you find by clear and convincing evidence that any of the following asserted claims of the '441 Patent are invalid as anticipated by the prior art?

Answer "yes" or "no" for each asserted claim of the '441 Patent.

	YES (finding for Xitronix)	NO (finding for KLA-Tencor)
Claim 7	✓	
Claim 9		✓
Claim 11		✓
Claim 12		✓

For any claims which you answer "yes," identify the prior art which anticipated the claim in the chart below.

	Batista	Mansanares	'611 Patent	Therma-Probe device
Claim 7			✓	✓
Claim 9				
Claim 11				
Claim 12				

QUESTION THREE

Do you find by clear and convincing evidence that any of the following asserted claims of the '441 Patent are invalid due to obviousness?

Answer "yes" or "no" for each asserted claim of the '441 Patent.

	YES (finding for Xitronix)	NO (finding for KLA-Tencor)
Claim 7	✓	
Claim 9	✓	
Claim 11	✓	
Claim 12	✓	

Submitted the 5 day of November 2010, at 5 o'clock 27 m.

**SIGNATURE REDACTED PURSUANT
TO E-GOVERNMENT ACT OF 2002**

PRESIDING JUROR